
RULE OF THE CHAMBER

Any person wishing to address City Council shall step up to the lectern, state their name and address in an audible tone of voice for the record, and unless further time is granted by the presiding officer, shall limit their address to three (3) minutes.

A person may not give up or relinquish all or a portion of their time to the person having the floor or another person in order to extend a person's time limit in addressing the Council.

Any person who does not wish to address Council from the lectern, may print their name, address and comment/question which he/she would like brought before Council on a card provided by the Clerk/Treasurer and return the card to the Clerk/Treasurer before the meeting begins. The Clerk/Treasurer will address the presiding officer at the start of Citizen Comments on the Agenda, notifying him of the card comment, and read the card into the record for response.

Those who want to use audio and image recording equipment in Council Chambers that requires a monopod, tripod or other auxiliary equipment for the audio and image devices shall notify the City Clerk before the meeting begins. Arrangements will be made to accommodate the request in a manner that minimizes the possibility of disrupting the meeting. No additional illuminating lights may be used in Council Chambers unless a majority of City Council members consent. Additionally, cell phones and pagers should be set to vibrate or silent mode when inside Council Chambers.

Should any person fail or refuse to comply with any Rules of the Chamber, after being informed of such noncompliance by the presiding officer, such a person may be deemed by the presiding officer to have committed a breach of the peace by disrupting the public meeting, and the presiding officer may then order such person excluded from the public meeting under Section 3 (6) of Open Meetings Act, Act 267 of 1976.

You will notice a numbering system under each heading. There is significance to these numbers. Each agenda item is numbered consecutively beginning in January and continues through December of each calendar year.

The City of Monroe will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon one weeks' notice to the City Clerk/Treasurer. Individuals with disabilities requiring auxiliary aids or services should contact the City of Monroe by writing or calling: City of Monroe, City Clerk/Treasurer, and 120 E. First St., Monroe, MI 48161, (734) 384-9136. The City of Monroe website address is www.monroemi.gov.

AGENDA - CITY COUNCIL REGULAR MEETING

MONDAY, DECEMBER 15, 2008

7:30 P.M.

AMENDED

- I. CALL TO ORDER.
- II. ROLL CALL.
- III. INVOCATION/PLEDGE OF ALLEGIANCE.
- IV. PRESENTATION

Presentation by Chief of Police, John Michrina, regarding a chase video.

Presentation by Howard Penrod, Monroe County Road Commission and Patrick Lewis, the Director of Engineering and Public Services on snow policies and procedures.

- V. **CONSENT AGENDA.** (All items listed under the Consent Agenda are considered to be routine by Mayor and Council and will be approved by one motion, unless a Council member or citizen requests that an item be removed and acted on as a separate agenda item)

- A. Approval of the Minutes of the Work Session held on November 3, 2008, Work session held on November 8, 2008, Special Meeting held on December 1, 2008, the Regular Meeting held on December 1, 2008.
- B. Approval of payments to vendors in the amount of \$_____.
Action: Bills be allowed and warrants drawn on the various accounts for their payment.

299 Liquid Aluminum Sulfate Chemical Bid.

- 1. Communication from the Director of Water and Wastewater Utilities, reporting back on bids received to supply Liquid Aluminum Sulfate (Alum) for the remaining 6 months of the fiscal year and recommending that a purchase order be awarded to General Chemical Performance Products, LLC to supply Liquid Aluminum Sulfate from January 1, 2009 through June 30, 2009 based on the bid unit price of \$487.00 / ton.
- 2. Supporting documents.
- 3. Action: Accept, place on file and the recommendation be carried out.

300 River Sanitary Manhole Reconstruction – Change Order.

- 1. Communication from the Director of Engineering and Public Services, submitting a Change Order to add two (2) additional projects to the last year's Sanitary Sewer Replacement Program and recommending that Council award the attached Change Order to the North Roessler Street / Lavender Street Alley Sanitary

Sewer Reconstruction (original contract) project to Schumaker Brothers Construction for this work in the amount of \$60,000, and that a total of \$75,000 be encumbered to include a 25% project contingency and further recommending that the City Engineer be authorized to sign the change order on behalf of the City of Monroe.

2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

301 North Telegraph Road Sanitary Pump Station Rehabilitation – Change Order.

1. Communication from the Director of Engineering and Public Services, submitting a Change Order to the contract awarded for the rehabilitation of the North Telegraph Road Sanitary Pump Station on March 17, 2008 and recommending that Council award a Change Order to the North Telegraph Road Sanitary Pump Station project to Triangle Excavating in the amount of \$7,012 for the costs to continue bypass pumping for 16 days beyond the contractual requirements and further recommending that the City Engineer be authorized to sign the Change Order on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

302 2008 Water Main Rehabilitation Program – Continuation of Inspection Services.

1. Communication from the Director of Engineering and Public Services, submitting a request for additional allocation for increased inspection hours in 2008 and recommending that an additional purchase order in the amount of \$20,000 be awarded to Arcadis U.S., Inc. for inspection on the 2008 Water Main Rehabilitation Program and further recommending that the Director of Engineering and Public Services be authorized to issue the purchase order on behalf of the City of Monroe.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

303 Last Day Dog Rescue Resolution.

1. Communication from the City Managers Office, submitting a proposed resolution that would officially recognize the Last Day Dog Rescue as a non-profit organization in the Monroe Community in order to apply for a charitable gaming license from the State of Michigan Lottery Division and recommending that the resolution be adopted.
2. Supporting documents.
3. Action: Accept, place on file and the resolution be adopted.

304 City of Monroe Snow and Ice Policy Adoption.

1. Communication from the Director of Engineering and Public Services, submitting policy revisions to the City of Monroe's Snow and Ice Control Policy and recommending that Council adopt the attached City of Monroe Snow and Ice Control Policy Statement.
2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

305 ALCC Basketball Court Replacement.

1. Communication from the Director of Engineering and Public Services, reporting back on bids received for the complete removal and replacement of the existing gymnasium floor and associated work, and recommending that Council award the base bid for the replacement of the gymnasium floor to Tensho, LLC in the amount of \$62,770, contingent upon all of the following: a) submission of Labor Harmony documentation, b) final reference check by the Architect, and c) verification of adequacy of floor system proposed; that Council award alternates 1, 2, and 4 to Phoenix Contracting in the amount of \$11,800; and that the Mayor and Clerk-Treasurer be authorized to execute both contracts on behalf of the City of

Monroe, and further recommending that if the base bid low bidder is unable to fulfill any of the above terms, the contract be awarded to the second low bidder, subject to the same requirements and further recommending that a 15% project contingency above the total awarded amount be encumbered to the respective projects.

2. Supporting documents.
3. Action: Accept, place on file and the recommendation be carried out.

VI. MAYORS COMMENTS.

VII. CITY MANAGERS COMMUNICATION.

VIII. COUNCIL COMMENTS.

IX. CITIZEN COMMENTS.

X. CITY COUNCIL CLOSED SESSION TO DISCUSS COLLECTIVE BARGAINING.

XI. ADJOURNMENT.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: WATER TREATMENT PLANT LIQUID ALUMINUM SULFATE CHEMICAL BID

DISCUSSION: Two (2) bids were received and opened on November 26, 2008 to supply Liquid Aluminum Sulfate (Alum) for the remaining 6 months of the fiscal year. Attached is bid tabulation for reference. The lowest bid meeting all bid specifications is from General Chemical Performance Products, LLC for a 6 month period (January 1, 2009 through June 30, 2009). The vendor has performed satisfactorily and we are confident that they will perform in accordance with the bid specifications.

As you may recall, due to the market volatility with metals, Alum was bid in June and September 2008 with different contract time frames where two (2) - 3 month supply periods were recommended and awarded. This was completed in an effort to anticipate market fluctuations with this type of chemical to obtain the best price possible and to utilize a new coagulant chemical. The Water Plant staff in concurrence with the Michigan Department of Environmental Quality tried a new coagulant chemical where it was anticipated to save overall operational costs in chemical and wastewater expenses while still providing the same or better water treatment result. The result of the new coagulant chemical application with our source water has proved to not be cost effective and caused some operational problems. Therefore, it is recommended to award the remaining 6 months of the fiscal year and utilize Alum. Water Plant staff will continue to investigate and try new chemicals to reduce overall operating expenses. Adequate funding has been budgeted.

IT IS RECOMMENDED that a purchase order be awarded to General Chemical Performance Products, LLC to supply Liquid Aluminum Sulfate from January 1, 2009 through June 30, 2009 based on the bid unit price of \$487.00 / ton.

CHEMICAL	VENDOR	DURATION	UNIT PRICE	AMOUNT	FEES	COST
Liquid Aluminum Sulfate*	General Chemical Co.	6 Months	\$487.00/Ton	193Tons+/-	None	\$93,991.00

CITY MANAGER RECOMMENDATION:

- ☐ For
- ☐ For, with revisions or conditions
- ☐ Against
- ☐ No Action Taken/Recommended

APPROVAL DEADLINE: ASAP

REASON FOR DEADLINE: Provide an adequate amount of chemical at Water Treatment Plant to treat water needed through June 30, 2009.

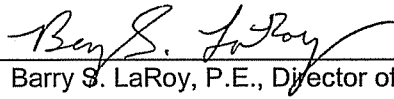
STAFF RECOMMENDATION:

☒ For

☐ Against

REASON AGAINST: N/A

INITIATED BY:



Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Water Department, Water Customers

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project \$ 93,991.00

Cost of This Project Approval \$ 93,991.00

Related Annual Operating Cost \$ N/A

Increased Revenue Expected/Year \$ N/A

SOURCE OF FUNDS:

City
WTP Chemicals

Account Number
59140537 752000

Amount
\$ 93,991.00

Other Funds

Budget Approval: _____

FACT SHEET PREPARED BY: Barry S. LaRoy, P.E., Director of Water & Wastewater Utilities

DATE: December 1, 2008

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: December 15, 2008

BIDS RECEIVED LIST FOR LIQUID ALUMINUM SULFATE FOR THE WATER
DEPARTMENT ON FRIDAY, NOVEMBER 26, 2008.

GENERAL CHEMICAL CORP
90 E HALSEY RD
PO BOX 393
PARSIPPANY NJ 07054-0393

\$487/TON
\$187,495.00
(BID BOND)

UNIVAR USA
30450 TRACY RD
WALBRIDGE OH 43465-9775

NO BID RECEIVED

USALCO
1120 MIDDLE RIVER RD
BALTIMORE MD 21220

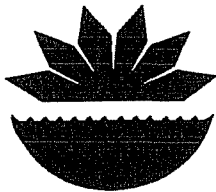
\$573.77/TON
\$220,901.45
(BID BOND)

SODROX CHEMICALS LTD
7040 WELLINGTON RD 124
GUELPH ONTARIO N1H 6J3
CANADA

NO BID RECEIVED

ALCHEM INC
8135 RED RD
ROCKWELL NC 28138

NO BID RECEIVED



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: RIVER SANITARY MANHOLE RECONSTRUCTION – TWO (2) LOCATIONS ON THE NORTH BANK OF THE RIVER RAISIN

DISCUSSION: Schumaker Brothers Construction from Ida, Michigan was awarded last year's Sanitary Sewer Replacement Program and has also been performing other projects during 2008 under Change Orders as awarded by the City Council. One of these was awarded by the City Council on January 22, 2008, for the reconstruction of four (4) large manholes on the City's River interceptor sanitary sewer system, and another was for a fifth location on the north bank east of Virginia Drive extended, involving both a sanitary and a storm sewer structure, was awarded by the City Council on September 15, 2008. These manholes lie along a particularly important part of our sanitary system, as these 36" to 48" diameter sewers essentially direct nearly all sanitary sewage flows in the City limits to the Wastewater Treatment Plant. A failure of one of these manholes at a time when the river elevation was high could cause a complete failure of the plant, as massive river flows into the plant could overwhelm the system for days. Schumaker Brothers has performed previous reconstruction work exceptionally, assisting the Engineering Department with numerous field design changes.

As you know, the Monroe County Drain Commissioner's Office has carried out their plan to lower the River water level to assist with eradication of the Flowering Rush. Since this has been completed, the Wastewater Department has been continually inspecting and analyzing the adequacy of their system along both banks of the River, as this is an opportune time to make repairs while the River level is artificially low. In the past month, after review, two (2) additional projects have been identified as good candidates for repair work at this. One, the replacement of the sidewalk and wall that protects the north side sewer under the Macomb Street bridge, was identified by the Engineering Department previously, and the other, a reconstruction of a manhole near the northwest corner of the Monroe Street bridge, was recently discovered to be a problem.

As before, we have asked Schumaker Brothers to provide hourly rates for labor and equipment, as well as required mark-ups, as this type of work cannot be quoted on a lump sum basis due to its high degree of uncertainty. In the past, we have found them to be uniquely suited for this type of work, and they have been employed for several years as the City of Toledo's standby contractor for this type of work as well. Their rates are reasonable, and we feel there is no advantage to competitively bidding this particular work for the above reasons. The change order and attachments have been included for your reference, and these are the same as those submitted previously.

IT IS RECOMMENDED that the City Council award the attached Change Order to the North Roessler Street / Lavender Street Alley Sanitary Sewer Reconstruction (original contract) project to Schumaker Brothers Construction for this work in the amount of \$60,000, and that a total of \$75,000 be encumbered to include a 25% project contingency. **IT IS FURTHER RECOMMENDED** that the City Engineer be authorized to sign the change order on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

- ☐ For
- ☐ For, with revisions or conditions
- ☐ Against
- ☐ No Action Taken/Recommended

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Contractor plans to continue working throughout the Winter as weather and River conditions allow.

STAFF RECOMMENDATION: ☒ For ☐ Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, Wastewater Department

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$75,000*
Cost of This Project Approval	\$75,000*
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

*Includes 25% contingency, funding is estimated cost only.

SOURCE OF FUNDS:

City	Account Number	Amount
Sanitary Sewer Rehabilitation	590-75.529-973.000 02Z05	\$75,000
<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 12/08/08

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: December 15, 2008

Jan 01, 2008 - Dec 31, 2008

<u>RATES</u>	<u>DESCRIPTION</u>
28.19 Hr	SUPERVISOR Operator - Joe (Ptnr)

LABOR

28.19 Hr	Operator
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21.88 Hr	Laborer
----------	---------

37.91 %	Payroll Taxes & Insurance / Labor
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38.00 %	Profit & Overhead / Labor
---------	---------------------------

Fringe Benefits

10.10 Hr	Operator
----------	----------

9.76 Hr	Laborer
---------	---------

Notes: Payroll Taxes & Insurance - Detail...

6.20 %	FICA
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1.45 %	Medicare
--------	----------

0.80 %	FUTA
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10.30 %	MI UIA
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19.16 %	Workers Comp
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<u>37.91 %</u>	Total
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Jan 01, 2008 - Dec 31, 2008

RATES DESCRIPTION

VEHICLES

100	Hr	Kenworth Dump Truck (Quad Axle 20yd)
65	Hr	Chevy Dump Truck (1ton)
350	Day	Kenworth Flat Bed (w/sm tools)
350	Day	Grumman Panel Van (w/sm tools)
400	Day	Tk50 - Eq Trailer (25Ton)

EQUIPMENT

250	Hr	Komatsu PC150 Excavator w/Hyd Clamshell
300	Hr	CAT235 Excavator
100	Hr	CAT 304 Mini Excavator
100	Hr	JCB214 Tractor Loader Backhoe
500	Day	Asphalt Roller
400	Use	Video Sewer Camera
100	Day	Square Shoring Box each - from 11ft to 6ft wide by 4ft high
80	Day	Round Shoring Liner each - Small
300	Day	Round Shoring Liner each - 12ft to 10ft dia by 10ft high
200	Day	Perimeter Security (Fencing) Around Excavation
15	Day	Traffic Control Signs
4	Day	Traffic Control Barrels
75	Day	Concrete Cut-Off Saw
60	Day	Chain Saw
100	Day	Cutting Torches
50	Day	Wheel Barrow
100	Day	Compactor - Hand Tamp
175	Day	2" Pump w/Hoses
225	Day	3" Pump w/Hoses
300	Day	Safety Tripod & Harness
350	Day	6.5KW Kubota Generator
150	Day	ManHole Blower
250	Day	Iron Support Beams
500	Use	Air Monitoring Equip
500	Day	Concrete Saw (Target 18 hp)
400	Day	Hydraulic Power Pack
200	Day	Solar Arrow Board
300	Day	Laser Level
700	Day	Pro-Tec Shoring System

Notes: Hourly Rates - 2 Hr minimum
 Day Rates - 1/2 Day minimum

Jan 01, 2008 - Dec 31, 2008

<u>RATES</u>	<u>DESCRIPTION</u>
Cost + 15%	Mark up on Materials
Cost + 15%	Rented Equipment
Cost + 15%	Street Barricades / SafeWay (Arrow Board & Lited Barricades, etc...)
Cost + 5%	Mark up on Sub-Contractors
3%	Bond Insurance of Total Cost of Job (Guarantee for work performed)

Notes: PAYMENT TERMS: Net 30 Days

A Finance Charge of 1 1/2% per month (18% per Annum)
will be applied to the unpaid balance after 60 days.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: NORTH TELEGRAPH ROAD SANITARY PUMP STATION REHABILITATION_- CHANGE ORDER

DISCUSSION: On March 17, 2008, the City Council awarded a contract for the rehabilitation of the North Telegraph Road Sanitary Pump Station, located north of Fredericks Drive, to Triangle Excavating of Lake Orion in the amount of \$119,067. To date, all work except minor punch list items has been completed satisfactorily. The contractual completion date was October 31, 2008, and the contractor met all of their obligations with respect to this date. Unfortunately, the permanent electrical service was not connected to the station by this time by DTE Energy, requiring the Contractor to continue providing their own labor, equipment, and electricity to continue bypass pumping the station to prevent backups to property owners served by the station. As we have determined that this was not the fault of the Contractor, it is appropriate that the Wastewater Department pay the actual costs of the work, plus the allowable 15% markup normally allowed by standard construction specifications and applicable to this project. These costs totaled \$438.23 per day for 16 days, for a total price of \$7,012. Since the Contractor was contractually obligated to include all bypass pumping costs in their bid through the completion date, these additional costs could not have been anticipated until the completion date had been exceeded; therefore they were not brought to the attention of City Council until after they had been expended. Since the bid was awarded as a lump sum for all work, the Engineering Department did not encumber any additional contingency on top of the \$119,067 bid cost.

IT IS RECOMMENDED that the City Council award a Change Order to the North Telegraph Road Sanitary Pump Station project to Triangle Excavating in the amount of \$7,012 for the costs to continue bypass pumping for 16 days beyond the contractual requirements. **IT IS FURTHER RECOMMENDED** that the City Engineer be authorized to sign the change order on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

- ☐ For
- ☐ For, with revisions or conditions
- ☐ Against
- ☐ No Action Taken/Recommended

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Funds have already been expended and the Contractor is entitled to compensation at this point.

STAFF RECOMMENDATION: X For ☐ Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, Wastewater Department

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$126,079
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Cost of This Project Approval	\$7,012
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Related Annual Operating Cost	\$ N/A
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Increased Revenue Expected/Year	\$ N/A
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SOURCE OF FUNDS:

City

Account Number

Amount

N. Telegraph Pump Stat. Rehab. 590-75.529-973.000 03Z03

\$7,012

Other Funds

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 12/08/08

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: December 15, 2008



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ENGINEERING SERVICES – 2008 WATER MAIN REHABILITATION PROGRAM – CONTINUATION OF INSPECTION SERVICES

DISCUSSION: In December 2006, the Monroe City Council awarded a contract to Arcadis U.S., Inc. to prepare a project plan to submit to the MDEQ Drinking Water Revolving Fund (DWRF) for what was intended to be the first year of a comprehensive water main replacement and rehabilitation program through the DWRF. Again in May 2007, the City Council awarded a contract for professional services in the amount of \$80,400 to include design and construction inspection for this program, and this work was focused primarily on the rehabilitation (i.e., cleaning and lining) portions of the program. While the project was not ultimately funded through the DWRF program, nonetheless the City issued General obligation bonds and the work commenced on schedule. Currently, Arcadis has been assisting us with on-site inspection of the rehabilitation work on Detroit Avenue, Mill Street, and East Elm Avenue, which was essentially completed during the week ending December 5.

On November 17, 2008, the City Council approved an additional allocation of \$20,000 to Arcadis, to cover some costs that were expected to be spent through that time period, as well as some additional monies for what was thought to be the end of the project sometime before Thanksgiving. This \$20,000 allocation was beyond the original purchase order of \$80,400 that was awarded to Arcadis in May 2007.

Unfortunately, the Contractor has been working excessively long hours to complete all work by the onset of Winter, and this has dramatically increased the number of inspection hours necessary as well. In fact, the additional \$20,000 purchase order has already been exceeded, and based on present estimates as much as an additional \$20,000 may be necessary to complete final project inspection activities. Again, the original hourly breakdown from earlier has been attached, which also shows the schedule of rates for each position.

It should be noted that in the past the Engineering Department staff would be able to inspect a project of this nature directly, however, due to commitments on other projects still underway through most of November, this was not a realistic possibility in this case. We will be exploring more inexpensive options for the 2009 construction season. We sincerely apologize that this additional authorization is necessary at this point, and that better expenditure numbers were not available from the consultant at the time of the previous authorization.

IT IS RECOMMENDED that an additional purchase order in the amount of \$20,000 be awarded to Arcadis U.S., Inc. for inspection on the 2008 Water Main Rehabilitation Program. **IT IS FURTHER RECOMMENDED** that the Director of Engineering and Public Services be authorized to issue the purchase order on behalf of the City of Monroe.

CITY MANAGER RECOMMENDATION:

- ☐ For
- ☐ For, with revisions or conditions
- ☐ Against
- ☐ No Action Taken/Recommended

APPROVAL DEADLINE: December 15, 2008

REASON FOR DEADLINE: Most work has essentially been completed.

STAFF RECOMMENDATION: ☒ For ☐ Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: Water Department, Engineering Department, water customers

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$ 20,000.00
Cost of This Project Approval	\$ 20,000.00
Related Annual Operating Cost	\$ 0
Increased Revenue Expected/Year	\$ 0

SOURCE OF FUNDS:

<u>City</u>	<u>Account Number</u>	<u>Amount</u>
Water Main Program – Yr. 1	59140538 818020 08W12	\$ 20,000.00
<u>Other Funds</u>		

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, Director of Engineering and Public Services

DATE: 12/08/08

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: December 15, 2008

HOURLY RATE AND HOUR BREAKDOWN

TOTALS	859	\$ 79,853.03
	\$ 92.95	



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: PROPOSED RESOLUTION TO RECOGNIZE THE LAST DAY DOG RESCUE AS A NON-PROFIT ORGANIZATION

DISCUSSION: The Last Day Dog Rescue has requested that they be officially recognized as a non-profit organization in the Monroe community. The Resolution of official recognition is necessary in order to apply for a charitable gaming license from the State of Michigan Lottery Division.

The proposed Resolution is presented for your review and approval.

It is recommended that the Resolution be adopted.

CITY MANAGER RECOMMENDATION:

- ☒ For *[Signature]*
☐ For, with revisions or conditions
☐ Against
☐ No Action Taken/Recommended

APPROVAL DEADLINE:

REASON FOR DEADLINE:

STAFF RECOMMENDATION:

☒ For

☐ Against

REASON AGAINST:

INITIATED BY:

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED:

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project \$

Cost of This Project Approval \$

Related Annual Operating Cost \$

Increased Revenue Expected/Year \$

SOURCE OF FUNDS:

City

Account Number

Amount

\$

\$

\$

\$

\$

Other Funds

\$

\$

\$

\$

Budget Approval: _____

FACT SHEET PREPARED BY: City Manager's Office

DATE: 12/08/08

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: 12/15/08

RESOLUTION

WHEREAS, the Last Day Dog Rescue have determined that it may be necessary or appropriate to conduct raffles or similar fund-raising activities as part of its future fundraising efforts in order to continue its service to the Monroe community; and

WHEREAS, the Michigan Bureau of State Lottery requires organizations seeking licenses or registering for future licensing to be recognized by resolution adopted by the city in which the organization conducts its principal activities as a "local civic organization"; and

WHEREAS, the Last Day Dog Rescue have requested that the City Council of the City of Monroe pursuant to regulations of the Michigan Bureau of State Lottery formally recognize the Last Day Dog Rescue as a nonprofit organization operating in the community for the purpose of obtaining gaming licenses issued by the Michigan Lottery.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Monroe hereby formally recognizes the Last Day Dog Rescue as a nonprofit organization operating in the community for the purpose of obtaining gaming licenses issued by the Michigan Bureau of State Lottery.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be provided to the Last Day Dog Rescue so that it may file with the Michigan Bureau of State Lottery.

Last Day Dog Rescue
Shelter Dogs With A Second Chance

www.ldr.petfinder.org
ourlastdaydogs@gmail.com

Attn: Pat Weaver

Re: Resolution for recognition of Non-Profit.


Last Day dog Rescue is a Non-Profit 501(c) 3 organization. Our Group focuses on rescuing dogs from the "Urgent" list in Shelters and pounds across lower Michigan and Parts of Ohio with an emphasis on those shelters who euthanize by gas and those shelters who sell the dogs in their care to research labs where they are used for barbaric and most times painful testing and experimentations. We hold a special place in our hearts for the big and black dogs, even 'ugly' dogs (who we don't find ugly at all!) and the special senior dogs. These dogs most often get overlooked and passed up in shelters and pounds everywhere for puppies, small breeds and the 'prettier', lighter colored dogs.

Dogs found in shelters are there for many reasons: owner surrenders, strays, cruelty/abuse cases and dogs found abandoned, left to fend for themselves in vacant homes, fields, ditches and even being tied out in the woods left to starve. Last Day Dog Rescue does not discriminate and feels that each of these dogs, no matter their size, age, color or the reason they are there, deserve a second chance at life...we help all those we can.

We are currently applying to the State of Michigan for a gaming license to hold a Texas Holdem Fundraiser (thru Rounders) to help fund our efforts in saving, Vetting, and placing these dogs in need. We are attempting to hold this fundraiser in In Monroe at Nortel Lanes, located at 611 N. Telegraph Rd. Part of our application to the State is obtaining an resolution of a City to recognize us as a nonprofit. 100% of all funds raised by LDDR will be applied to the rescue efforts.

The tentative dates for this fundraising effort are Jan 8 – 11th, and Jan 22 – 25th.

Thank you for your time and consideration.


Steven J. Horner

Last Day Dog Rescue
EIN: 20-8736110
DLN: 307248022



RECEIVED

DEC 1 2008

MAYOR'S OFFICE

STEVEN J. HORNER
* Microchip Services * Treasurer

12334 Cardwell
Livonia, MI 48150
Phone: 734-564-0321
Fax: 734-427-6994
lastdaydogs@gmail.com
www.ldr.petfinder.org

Dec 01 08 12:26p Instant Carnival / LDDR
INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: FEB 20 2008

LAST DAY DOG RESCUE INC
C/O EARL ROMANS
24901 NORTHWESTERN HWY, SUITE 302
SOUTHFIELD, MI 48075

Employer Identification Number:
20-8736110
DLN:
307248022
Contact Person:
TRACY PRATER ID# 31330
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
April 3, 2007
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

Dec 01 08 12:26p

Instant Carnival / LDDR

-2-

LAST DAY DOG RESCUE INC

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Publication 4221-PC

Letter 947 (DO/CG)



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: CITY OF MONROE SNOW AND ICE POLICY ADOPTION

DISCUSSION:

The City of Monroe Department of Public Services has, in the past, been performing Winter maintenance activities under the direction of an official Snow and Ice Control Policy. This policy appears to have been most recently adopted by the City Council in 2002 in its current form.

Due to a decrease in personnel, fiscal constraints, and some changes to City Ordinances governing these procedures, the Department of Public Services has made some minor revisions to this policy, and feels that is again appropriate to place this in front of the City Council for formal adoption. The Department of Public Services and Monroe County Road Commission are also planning a short joint presentation for the December 15 City Council meeting to further heighten resident awareness of our policies, and those of the Monroe County Road Commission, which maintains US-24 and I-75 within the City limits, as well as some perimeter roadways such as Stewart Road, Cole Road, and portions of LaPlaisance Road.

The text of the previous policy is left intact, with sections to be removed shown in strikethrough font, and new sections shown in bold print and underlined.

IT IS RECOMMENDED that the City Council adopt the attached City of Monroe Snow and Ice Control Policy Statement.

CITY MANAGER RECOMMENDATION:

- ☐ For
- ☐ For, with revisions or conditions
- ☐ Against
- ☐ No Action Taken/Recommended

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Winter maintenance activities have already begun.

STAFF RECOMMENDATION: X For ☐ Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Public Services Department, City residents, traveling public

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project \$N/A

Cost of This Project Approval \$N/A

Related Annual Operating Cost \$ N/A

Increased Revenue Expected/Year \$ N/A

<u>SOURCE OF FUNDS:</u>	<u>City</u>	<u>Account Number</u>	<u>Amount</u>
--------------------------------	-------------	-----------------------	---------------

Other Funds

Budget Approval: _____

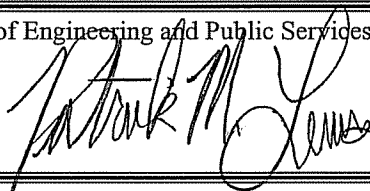
FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 12/09/08

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: December 15, 2008



CITY OF MONROE

SNOW AND ICE CONTROL POLICY STATEMENT

The responsibility for providing snow and ice control for the City's ~~State-trunk lines~~, Major, and Local streets, Parking Lots, and M-125 rests entirely with the Department of Public Services (**DPS**).

Snow and ice control is considered emergency work in that streets must be cleared any time of the day or night. Because of the potential hazard to the motoring public and high incidence of overtime involved in this program, careful planning and preparation must be done prior to the snow and ice season. This planning process is made considerably more difficult due to the variable conditions encountered during each storm. Such things as the rate and accumulation of snowfall, moisture content, temperature, time of day or night, wind direction and velocity, and duration are all factors that interact to create a unique aspect for each storm with the result that no two storms are identical.

GOALS AND OBJECTIVES

The goal of the Department of Public Services is to make all Trunklines, Major streets and Local streets safe and accessible for vehicles properly equipped for winter driving conditions during and after a storm, in accordance with the guidelines set herein. We will attempt to clear all Trunklines and Major streets to bare pavement and maintain a clear driving track at Stop signs and curves on Local streets within ~~twelve (12)~~ **eighteen (18)** hours of the end of a snowfall and with courts, cul de sacs and dead ends, within ~~eighteen (18)~~ **thirty-six (36)** hours of the end of a snowfall. Additional caution is advised, however, when driving during the winter season because of the potential for hazardous conditions caused by snow, wind and freezing temperatures. During and after a storm, some streets may be snow packed and snow can be expected to accumulate adjacent to the traveled portion of a street to the extent that a motorist's sight distance may be greatly reduced or impaired.

City streets have been divided into three categories which determine the priority level of service. The first priority is State Trunklines and Major streets which carry traffic to and through the City. Next on the priority list of streets to be serviced are the Local Streets. This is a much larger group of streets which serves primarily residential areas. Finally, the group of streets known as court, cul de sacs and dead ends will be serviced. This group carries the least amount of traffic of all streets in the City.

The Department of Public Services has developed a procedure to perform snow and ice operations for all varying weather conditions. Personnel will respond each time we are notified that weather conditions are creating a hazard for the motoring public. Depending on the severity of the winter storm, as few as one (1) ~~man~~ **person** and one (1) truck to as many as ~~twenty-nine (29) men~~ **twenty (20) people** and ~~twenty-three (23)~~ **twenty (20)** pieces of City owned equipment can be made available to combat a storm.

A key element in implementing an effective snow and ice control program is receiving timely notification that road conditions are becoming hazardous. Monroe Police Department patrols have proven to be very effective in providing this notification to the Department of Public Services through Monroe County Central Dispatch. Upon notification from Central Dispatch, or upon direct staff observation, DPS supervisory personnel will respond, evaluate weather conditions and initiate the appropriate level of action. Additionally, once a snow and ice control operation has begun National Weather Service reports will be monitored plus actual field reports by departmental personnel to determine what equipment and material to utilize during the course of a storm.

ALERTING SNOW AND ICE CONTROL PERSONNEL

Snow and ice control operations generally fall under the jurisdiction of the DPS's Street Maintenance Group, however, all public services personnel have a part in these operations. When conditions warrant, personnel are assigned to twelve hour or sixteen hour shifts that continue until the snow emergency has ended. Contractual assistance may be utilized but only with authorization of the City Manager and the Director of Engineering and Public Services. In an effort to maximize the use of City resources, Teamster personnel from other departments (~~Parks and Recreation~~, Wastewater, and Water) are sometimes asked to assist during extreme storm emergencies or to fill vacancies.

Snow and ice operations may be conducted on a 24 hour basis, 7 days per week. At the onset of hazardous road conditions during the regular work day, the Monroe Police Department will notify, ~~by radio~~, the Public Services base or the on call Supervisor by phone during non-working hours. The ~~Superintendent of~~ Public Services supervisory staff will consult with the Director of Engineering and Public Services and ~~the appropriate Supervisor~~ to determine the appropriate action.

Upon call out during non-working hours the Supervisor will report to the DPS office and notify the required personnel through the use of the current telephone call list. Once the snow and ice control operation is started, the Supervisor initiating the action will notify the Director of Public Services, as necessary, of the starting time, type of procedure recommended, and projected duration of the operation. The Department of Public Services is prepared to shift from normal work procedures any time it becomes necessary to institute snow and ice control operations.

GENERAL SNOW AND ICE PROCEDURES

When the department is notified of the development of hazardous road conditions, a decision is made to implement one of several different operations. Each operation varies in the amount of service performed and the manpower and equipment necessary to perform in. A salting operation would be initiated if freezing conditions existed, to melt snow or ice accumulated to a depth less than approximately two (2) inches or to prevent the bonding of packed snow to the pavement. A plowing operation would be initiated if a snow accumulation of two (2) inches or more existed.

OPERATION 1: One truck salting

OPERATION 2: Four trucks salting

OPERATION 3: Six trucks plowing and salting

OPERATION 4: Full call out

It can be expected that snow will be plowed into driveways as a normal part of snow removal operations. Attempts will be made to keep excessive amounts from accumulating; however, each driveway will receive a certain amount of snow.

SUPPLEMENTAL OPERATIONS

Whenever there is snowfall accumulation the sidewalks at City owned buildings and property may need to be cleared. If snowfall accumulates approximately two (2) inches or more, City parking lots will need to be cleared of snow. These operations require additional manpower and equipment. Parking lots are normally

plowed and salted in conjunction with City streets, however, in the event of an emergency they would be done on a lower priority. Sidewalks will be maintained in compliance with any applicable City Ordinance(s) and only during regular working hours whenever possible.

Should storm conditions become severe enough, private contractors may be contacted by the Director of Public Services to supply additional ~~men~~ personnel and equipment. Such action would only be taken in extreme emergencies, and only with the authorization of the City Manager, but it is an important option that must be available to the Department of Public Services if conditions warranted.

Historically, the Department of Public Services has assisted with the removal of snow in the Central Business District area, typically a few days following a large storm or combination of several sequential smaller storms. Due to snow removal in the street area combined with property owners clearing walks in front of their businesses, substantial piles can accumulate that block access to the on-street parking spaces and sidewalk ramps. Beginning in 2008-09, the Downtown Development Authority will be funding this operation when they deem it necessary, with coordination through the Public Services Department Supervisory staff. Trucking for this function will generally be performed by a Contractor, with the remaining operations to be performed directly by DPS personnel.

SNOW EMERGENCY REPORTING

A unique aspect of the City's ice and snow control program is the option to declare a "Snow Emergency." If snowfall amounts warrant, the City Manager or his duly designated representative may declare this situation in which case streets designated snow emergency routes must be cleared of parked vehicles until the street has been cleared of snow. This declaration will be broadcast over the local radio stations and cablevision. The Enabling Ordinance for this action, No. 81-020 (Codified Ordinance Chapter 472, "Snow Emergency Routes"), and Ordinance No. 82-017 08-018, "removal of snow and ice from sidewalks" support snow and ice control efforts. The texts of these documents are attached.

PROPERTY DAMAGE

During the course of operations throughout any given winter, a certain amount of damage to City and private property may be incurred by snow removal forces. In the event that terrace damage is sustained due to a plow riding over a curb the Public Services Department will repair said damage as soon as weather conditions permit. If the terrace sod is rolled back in such a way that it could be re-used, representatives of the Public Services Department will restore it. If the sod is damaged beyond repair, the Public Services Department will restore the area with black dirt and seed at the earliest opportunity. Any damage sustained due to salt brine being inadvertently splashed onto a terrace area during the course of the winter will not be treated or repaired by the City.

If a City plow or truck makes direct contact with a properly located mailbox and causes damage, the mailbox will be repaired or replaced in accordance with established guidelines. If however, the damage to a mailbox is sustained due to the force of the snow rolling off the plow, or the mailbox is not properly located, the City will not assume any responsibility for the damages.

ASSISTANCE TO PRIVATE PROPERTY

Under no circumstances will a City employee be allowed to use a City owned vehicle to push, pull, or tow a stranded private vehicle from a roadway or parking lot. The employee may, if a hazard exists, use his radio to notify the Police dispatcher of the hazardous condition. Likewise, under no circumstances will a City employee

use a City owned vehicle to perform any snow removal or ice control operation on private or commercial property.

NOTE:

City employees are not to perform any snow removal for private individuals or on private property using City owned equipment at any time or use personal equipment during working hours.

DEPARTURE FROM POLICY

The City recognizes that conditions may be so unusual or unexpected that a departure from these general policies should be authorized. Therefore when conditions warrant, the Public Services Director in consultation with the City Manager, Police Chief, and/or Fire Chief may order a departure from these general rules when, in his opinion, conditions require such action.

POLICY PRIORITY

This policy dated ~~December 11, 1995~~, **December 10, 2008** supersedes all others and, to the extent that any previous rule, regulation, policy or past practice, written or unwritten, is in conflict with the provisions of this policy, such is hereby withdrawn, voided and all personnel should conduct themselves in conformity with this policy.

~~12/12/95~~

12/10/08

CHAPTER 472

Snow Emergency Routes

- | | |
|--|--|
| <p>472.01 Definitions.</p> <p>472.02 Parking prohibited on snow emergency routes.</p> <p>472.03 Abandoning disabled vehicles.</p> <p>472.04 Public announcements of declarations required.</p> <p>472.05 Termination of parking prohibition.</p> <p>472.06 Applicability of other traffic regulations.</p> | <p>472.07 Erection of signs.</p> <p>472.08 Prima facie evidence; parking violators.</p> <p>472.09 Impounding of vehicles.</p> <p>472.10 Snow emergency routes designated.</p> <p>472.11 Snow emergency downtown area.</p> <p>472.99 Penalty.</p> |
|--|--|

CROSS REFERENCES

Traffic rules and regulations in home rule cities – see M.C.L.A. § 117.4h

Traffic rules and regulations generally – see M.C.L.A. §§ 257.601 et seq., 257.634 et seq.

Uniform Traffic Code – see M.C.L.A. §§ 257.951 et seq.; TRAF. Ch. 410

Truck routes – see TRAF. 450.26

Snowmobiles – see TRAF. Ch. 476

472.01 DEFINITIONS.

The following definitions shall apply in the interpretation and enforcement of this chapter:

- (a) “Snow emergency” is defined as an expected snowfall of four inches or more as reported by the National Weather Service.
- (b) “Coordinator” means the City Manager or his or her duly designated and acting representative.
- (c) “Snow emergency route” means those streets designated by the City of Monroe’s Traffic Engineer and marked as such.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.02 PARKING PROHIBITED ON SNOW EMERGENCY ROUTES.

(a) Whenever the Coordinator determines, on the basis of a forecast of the National Weather Service, that four, or more, inches of snow is expected to fall upon the City of Monroe, the Coordinator shall cause to be put into effect a snow emergency parking prohibition on snow emergency routes (streets) by declaring it in a manner prescribed in this chapter.

(b) Once in effect, a prohibition on parking under this chapter shall remain in effect until terminated by announcement of the Coordinator in accordance with this chapter, except that any street area which has become clear of snow from curb to curb for the length thereof lying between two successive street intersections shall be automatically excluded from such prohibition.

(c) While the prohibition is in effect, no person shall park, or allow to be parked, any vehicle on any portion of a snow emergency route to which it applies.

(d) Nothing in this chapter shall be construed to permit parking at any time or place where it is prohibited by any other provision of law.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.03 ABANDONING DISABLED VEHICLES.

Whenever a vehicle becomes disabled for any reason on any snow emergency route which is covered by snow, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off such snow emergency route.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.04 PUBLIC ANNOUNCEMENTS OF DECLARATIONS REQUIRED.

(a) The Coordinator shall cause each snow emergency declaration made by him or her pursuant to this chapter to be publicly announced by means of telecasts on the City of Monroe's cable network as well as announcements on local radio stations. A snow emergency telephone hotline will be activated that instructs citizens to tune to the City of Monroe's cable network for snow emergency updates. The declaration will also be publicized by press releases sent to the newspapers and television stations in the surrounding area. Each announcement shall describe the action taken by the Coordinator, including the time it became or will become effective.

(b) The Coordinator shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this chapter.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.05 TERMINATION OF PARKING PROHIBITION.

Whenever the Coordinator shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this chapter no longer exist, he or she may declare the prohibition terminated.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.06 APPLICABILITY OF OTHER TRAFFIC REGULATIONS.

Any provision of this chapter, while temporarily in effect, shall take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence

over provisions of law relating to traffic accidents emergency travel of authorized vehicles, or emergency traffic directions by a police officer.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.07 ERECTION OF SIGNS.

(a) On each street designated as a snow emergency route, the Traffic Engineer shall cause signs to be erected plainly marking such routes and sufficient in number to apprise the ordinarily observant person that such street or highway is a snow emergency route.

(b) Nothing in this chapter shall be construed to permit parking at any time or place where it is prohibited by any other provision of law.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.08 PRIMA FACIE EVIDENCE; PARKING VIOLATORS.

(a) In any proceeding for a violation of this chapter or Part Four, Traffic Code, of the Codified Ordinances relating to the standing or parking of a vehicle, proof that the particular vehicle described in the citation or complaint was parked in violation of any law or regulation, together with proof that the defendant named in the citation or complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person who parked or placed the vehicle at the point where and for the time during which such violation occurred.

(b) In any proceeding for a violation as stated in Subsection (a), above, the person in whose name that vehicle is registered at the time of the violation is prima facie responsible for that violation. The registered owner of such vehicle may assert as an affirmative defense that the vehicle in question, at the time of the violation, was in the possession of a person whom the owner had not knowingly permitted to operate the vehicle.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.09 IMPOUNDING OF VEHICLES.

Any vehicle parked on any snow emergency route in violation of any provision of this chapter shall be impounded. No person shall recover any vehicle removed pursuant to this section without first paying the cost of removal and the cost of storage. Any payment required by this section shall not be construed as a penalty such as to preclude a prosecution for a violation of any of the provisions of this chapter.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.11 SNOW EMERGENCY ROUTES DESIGNATED.

The following streets are hereby designated as snow emergency routes:

First Street from the east curblineline of Harrison Street to the eastern terminus.

Third Street from the east curblineline of Union Street to the west curblineline of Conant Avenue.

Elm Avenue from the east curbline on North Dixie Highway to the west curbline of Detroit Avenue.

Front Street from the east curbline of South Telegraph Road to the west curbline of Winchester Street.

LaPlaisance Road from East Sixth Street to the south City limits.

Macomb Street from the south City limits to the north curbline of East Fifth Street.

Monroe Street from the south City limits to the north City limits.

Riverview Avenue from the north curbline of East Elm Avenue to the south curbline of Cole Road.

Washington Street from the north curbline of Jones Avenue to the south curb line of East Front Street.

Scott Street from the south curbline of East Front Street to the north curbline of East Sixth Street.

Winchester Street from the north curb of East Third Street to the south curb of North Dixie Highway.

Kentucky Avenue from the south curb of East Third Street to the north bank of Plum Creek.

West Seventh Street from the west curb of South Monroe Street to the east curb of Union Street.

West Eighth Street from the east curb of South Roessler Street to the west curb of South Monroe Street.

Conant Street from the north curb of Wood Street to the south curb of East First Street.

West Fifth Street from the west curb of Union Street to the east curb of South Roessler Street.

Union Street from the south curb of West Fifth Street to the north curb of West Eighth Street.

South Roessler Street from the north curb of West Fifth Street to the south curb of East Front Street.

East Second Street from the east curb of South Monroe Street to the west curb of Scott Street.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.12 SNOW EMERGENCY DOWNTOWN AREA.

(a) In addition to the declared snow emergency routes, as referred in this chapter, when four inches or more of snow falls in the City, the Coordinator or his or her designate shall declare a snow emergency for the following streets in the downtown area: First Street between Macomb and Harrison Streets; on Front Street between Macomb and Harrison Streets; and Washington Street between First and Front Streets.

(b) Parking shall be prohibited, after such announcements on the above streets, from 2:30 a.m. to 7:30 a.m., until the declaration is terminated by announcement of the Coordinator in accordance with this chapter, except that any street area which has become

clear of snow from curb to curb for the length thereof lying between two successive street intersections shall be automatically excluded from such prohibition.

(Ord. 81-020. Passed 6-14-1982; Ord. 05-013. Passed 12-5-2005.)

472.99 PENALTY.

Whoever violates any of the provisions of this chapter is responsible for a civil infraction and shall be subject to a civil fine of not more than \$100 for each offense.

(Ord. 05-013. Passed 12-5-2005.)

ORDINANCE NO. 08-018

An Ordinance to amend Section 1020.04, Removal of Snow, Ice Filth and Dirt from Sidewalks, of the Codified Ordinances of Monroe, Michigan.

THE CITY OF MONROE ORDAINS:

SECTION I AMENDMENT OF SECTION 1020.04 OF THE CODIFIED ORDINANCES OF MONROE, MICHIGAN

Section 1020.04 is amended to read as follows:

1020.04 REMOVAL OF SNOW, AND ICE, ~~FILTH AND DIRT~~ FROM SIDEWALKS.

- (a) Snow Removal: Duty of Property Owner and Occupant. The owner or occupant of each and every lot or subdivision thereof, or of any piece or parcel of land in front of or adjacent to which a sidewalk shall have been or may hereafter be constructed, shall clear off and remove all accumulations of snow and ice from such sidewalk, as such snow or ice shall accumulate, by 8:00 a.m. on the day following the snowfall.
- (b) Removal by City; Collection of Costs. Upon the failure of the owner or occupant to remove or cause to be removed such snow or ice from the sidewalk within 48 hours after 8:00 a.m. on the day following the snowfall the City of Monroe may cause the same to be removed from the sidewalk.
- (c) Suspension of Provisions for Snow Emergency. At any such time that the City Manager or his / her designee shall cause a Snow Emergency to be declared, the requirements of subsections (a) and (b) above may be suspended for up to seventy-two (72) hours from the time of said declaration by the City Manager.
- (ed) Assessment of Costs. The Head of the Department of Public Services shall keep an accurate account of the expenses incurred with respect to each parcel of land in carrying

23 out the provisions of chapter and shall make a sworn statement of such account and
24 present the same to the City Treasurer. The City Treasurer shall prepare and send an
25 invoice to the last known owner, as reflected by the current tax roll, for the cost of such
26 work in accordance with the statement of the Head of the Department of Public Services.
27 The City Treasurer shall add 10% to the cost reflected to cover the cost of supervision
28 and billing. In the event that the invoice is not paid forthwith, the cost shall be charged
29 against the premises, reported to the assessor, and levied by him/her as a special tax or
30 assessment upon the premises. The special assessment shall be subject to review, after
31 proper notice is given as in all other cases of special assessment provided the City
32 Charter. When the tax is confirmed, it shall be a lien upon the premises and the same
33 shall be collected in the same manner as other City Taxes. The City may also file suit
34 against the owner and/or occupant of the premises and collect the same as a personal
35 obligation.

36 (de) Published Notice. The City Manager shall cause to be published in a newspaper of
37 general circulation of the City of Monroe a notice of the provisions and requirements of
38 this ordinance annually during the month of October.

39 SECTION 2 REPEALER

40 This Ordinance repeals and replaces all former ordinances or parts thereof conflicting or
41 inconsistent with the provisions of this Ordinance

42 SECTION 3 EFFECTIVE DATE

43 This Ordinance shall be in full force and effect twenty (20) days after final passage and
44 publication.



CITY COUNCIL AGENDA FACT SHEET

RELATING TO: ARTHUR LESOW COMMUNITY CENTER (ALCC) GYMNASIUM FLOOR REPLACEMENT – REPORT ON BIDS RECEIVED

DISCUSSION: The Engineering Department opening bids for the above project on Monday, December 8, 2008. The project included a lump sum base bid for the complete removal and replacement of the existing gymnasium floor and associated work, and four (4) alternates. Alternate 1 was a replacement of the existing aluminum bleachers and players benches, Alternate 2 was a replacement of the existing wall pads at either end of the court, and Alternates 3 and 4 were for two different types of floor covering systems, so that the new floor can be protected during other events where tables and chairs are utilized. The base bid and all alternates were approved as fundable projects through the United States Department of Housing and Urban Development (HUD), which oversees our Community Development Block Grant (CDBG) program. The project was advertised for nearly three (3) weeks, was advertised through five (5) different construction trades publications of statewide reach, and advertisements were direct mailed to various Disadvantaged Business Enterprises (DBEs) performing this type of work as listed through the State of Michigan. In addition, the project architect, James S. Jacobs Architects, assisted us in identifying other contractors that the approved floor manufacturers were aware of, and they were direct mailed advertisements (attached) as well. The bid forms from the three bidders have been attached to this fact sheet, and the lump sum prices are listed below:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate 1</u>	<u>Alternate 2</u>	<u>Alternate 3</u>	<u>Alternate 4</u>
Tensho, LLC (Toledo, OH)	\$62,770.00	\$15,730.00	\$1,925.00	Not given	\$9,570.00
Phoenix Contracting (Ypsilanti, MI)	\$80,500.00	\$4,300.00	\$1,500.00	\$13,000.00	\$6,000.00
Gratton Construction (Monroe, MI)	\$103,000.00	\$8,000.00	\$3,300.00	\$16,500.00	\$9,400.00

As with all City contracts for building trades work exceeding \$50,000 in total value, this contract was bid with the City's Labor Harmony Requirements. "Division J", our contract provision for this requirement, has been attached to this Fact Sheet for your reference. The Architect has been assisting us with the verification that all specifications have been met by the three (3) bidders, reviewing of the work references from each, and reviewing that all bidders are cognizant of the full scope of work. At this point, they have not issued a formal recommendation on these matters, however, this is expected to be completed by the time of the City Council meeting on December 15. Given the time frame for construction requested by the ALCC, it is imperative that this project move forward as quickly as possible to attempt to salvage as much of the basketball season as possible, given that the floor is currently unusable on one end. The bidding documents allow for work to commence after January 5, 2009, and place a completion date of February 20, 2009 on all work.

As noted in the earlier City Council approvals for the court design, and the overall facility study, this project was not adequately funded, but has been deemed a high priority by the ALCC board. Therefore, other capital projects funding earmarked for the ALCC in previous Capital Improvements Program (CIP) submittals must be used to fund this project. We are recommending that funding come first from the Terrace Concrete Replacement (\$80,000 remaining), followed by the Weight Room Rehabilitation (\$36,500 available) as necessary. It is expected that in the near future, numerous other capital projects needs will be identified by the facility study that will re-prioritize all improvements at this facility, as well as requiring substantial additional funding. All capital projects are eligible for funding through the CDBG program. Based on the above bids, it appears at this time to be most advantageous to the City to award the base bid to the low bidder, Tensho, LLC, and award Alternates 1, 2, and 4 all to Phoenix Contracting. The base bid, being over \$50,000, is subject to the Labor Harmony clause, whereas the alternate awards are not necessarily, if awarded on their own.

IT IS RECOMMENDED that the City Council award the base bid for the replacement of the gymnasium floor to Tensho, LLC in the amount of \$62,770, contingent upon all of the following: a) submission of Labor Harmony documentation, b) final reference check by the Architect, and c) verification of adequacy of floor system proposed; that the City Council award alternates 1,2, and 4 to Phoenix Contracting in the total amount of \$11,800; and that the Mayor and Clerk-Treasurer be authorized to execute both contracts on behalf of the City of Monroe. **IT IS FURTHER RECOMMENDED** that if the base bid low bidder is unable to fulfill any of the above terms, the contract be awarded to the second low bidder, subject to the same requirements. **IT IS FURTHER RECOMMENDED** that a 15% project contingency above the total awarded amount be encumbered to the respective projects.

CITY MANAGER RECOMMENDATION:

- ☐ For
☐ For, with revisions or conditions
☐ Against
☐ No Action Taken/Recommended

APPROVAL DEADLINE: As soon as possible

REASON FOR DEADLINE: Contract calls for all work to be completed by February 20, 2009, bids are only good for 45 days.

STAFF RECOMMENDATION: X For ☐ Against

REASON AGAINST: N/A

INITIATED BY: Department of Engineering and Public Services

PROGRAMS, DEPARTMENTS, OR GROUPS AFFECTED: City Council, Engineering Department, ALCC staff and users

FINANCES

COST AND REVENUE PROJECTIONS:

Cost of Total Project	\$86,000*
Cost of This Project Approval	\$86,000*
Related Annual Operating Cost	\$ N/A
Increased Revenue Expected/Year	\$ N/A

*Includes 15% contingency, and assumes low bidder can fulfill all requirements. If award is made to second low bidder for base bid, total will be \$106,000.

SOURCE OF FUNDS:

City	Account Number	Amount
ALCC Gym Floor	401-95.265-975.000 09C03	\$86,000*
<u>Other Funds</u>		

*Funds to be transferred from 401-95.265-975.000 05C01 (\$80,000) and 401-95.265-975.000 09C01 (balance - \$6,000)

Budget Approval: _____

FACT SHEET PREPARED BY: Patrick M. Lewis, P.E., Director of Engineering and Public Services

DATE: 12/11/08

REVIEWED BY:

DATE:

COUNCIL MEETING DATE: December 15, 2008

ADVERTISEMENT FOR BIDS

Sealed proposals for the construction of:

Arthur Lesow Community Center Gymnasium Floor Replacement

will be received by the City Clerk-Treasurer in the City Hall at 120 East First Street, Loranger Square, Monroe, Michigan 48161, until 3:00 P.M., LOCAL TIME, Monday the 8th day of December, 2008. The bids will be publicly opened and read aloud by the City Clerk at 3:00 P.M., LOCAL TIME, the same day, in the City Clerk-Treasurer's Office.

All work described and contained within the Plans and Specifications herein shall be paid on a lump sum basis for the "Gymnasium Floor/Volleyball Floor Plate Base Bid" with 4 alternates also considered.

The Proposal and Contract Documents, including plans and specifications, are on file and may be examined at the office of the City Engineer, 120 East First Street, Monroe, Michigan 48161. Copies thereof can be obtained from the Engineering Department of the City of Monroe by making a deposit of THIRTY DOLLARS (\$30.00) for each set of plans and specifications. IF PLANS ARE TO BE MAILED, ADD FIVE DOLLARS (\$5.00). Deposits on bid packages are non-refundable.

The City of Monroe reserves the right to accept any proposal, to reject any proposal or to waive defects in proposals.

A bid bond or certified check made payable to the City of Monroe in the amount of not less than five percent (5%) of the bid must be deposited by each bidder with his bid.

No bidder may withdraw his bid within FORTY-FIVE (45) days after the actual date of the opening thereof, but may withdraw it at any time prior to the scheduled closing time for receipts of bids.

MARK G. WORRELL

Mayor

CHARLES D. EVANS

City Clerk-Treasurer

PATRICK M. LEWIS, P.E.

City Engineer

DIVISION J
LABOR STANDARDS

1. POLICY:

It is the policy of the City of Monroe to encourage the employment of local labor and the use of local materials on city-awarded construction contracts whenever possible.

2. LABOR HARMONY:

All contract bid projects involving the construction, alteration, repair and improvement of city owned buildings and facilities, or the construction and reconstruction of streets, sidewalks, water mains, sanitary sewers and storm sewers, in which the cost is anticipated to exceed a total bid amount of \$50,000.00 shall include such terms as to promote harmonious relations among all skilled tradespersons and laborers employed on the project. These terms shall include the requirement that the successful bidder certify that the bidder is able to furnish skilled tradespersons and laborers who are able to work in harmony with all other contractors who are employed upon the project, and enter into a Project Labor Agreement with the Greater Detroit Building and Construction Trades Council, AFL-CIO, Teamsters and its' affiliated unions, or the local trade union practicing jurisdiction over the area, for the development and construction of the project.

This policy applies to those projects which the tradespersons and laborers work in the classifications and at the rates for commercial construction as established by the State of Michigan Department of Labor and Economic Growth, Wage and Hour Division.

Prior to the award of the contract, the apparent successful bidder and subcontractor(s), if any, and any other bidder so requested, shall, no later than seven days after the bid opening submit to the city a copy of the Project Labor Agreement with the Greater Detroit Building and Construction Trades Council, AFL-CIO, Teamsters and its' affiliated unions, or the local trade union practicing jurisdiction over the area. The Greater Detroit Building and Construction Trades Council, AFL-CIO, Teamsters and its' affiliated unions, or the local trade union practicing jurisdiction over the area shall not unreasonably, and without just cause, withhold its' consent and agreement. If the city after due investigation has reasonable objection to such document or the bidder declines to provide the Project Labor Agreement, the contract shall not be awarded to the bidder. Declining to provide the Project Labor Agreement shall constitute grounds for the sacrificing of the bidders bid security.

It shall be the responsibility of the union with jurisdiction over the trade involved to monitor the monitoring provisions of this section with respect to the compliance of the contractor with the project labor agreement, wage rates and any other appropriate provisions.

3. DAVIS-BACON WAGE RATES:

As this contract is being funded through the United States Department of Housing and Urban Development (HUD) and its Community Development Block Grant (CDBG) program, all employees shall be subject to the Federal Davis-Bacon Act. Required minimum wage rates are provided as an Appendix to Division L.

ARTHUR LESOW COMMUNITY CENTER – GYMNASIUM FLOOR REPLACEMENT

ITEM NO.	UNIT	NO. OF UNITS	ITEM DESCRIPTION WITH UNIT BID PRICES WRITTEN IN WORDS	LUMP SUM AMOUNT
1.	LS	1.0	BASE BID – GYMNASIUM FLOOR/VOLLEYBALL FLOOR PLATES <u>Sixty two thousand seven hundred ten</u> dollars <u>0</u> cents	\$ <u>62,710.00</u>
2.	LS	1.0	ALTERNATE NO. 1 – ALUMINUM BLEACHERS AND PLAYERS BENCHES <u>Fifteen thousand seven hundred thirty</u> dollars <u>0</u> cents	\$ <u>15,730.00</u>
3.	LS	1.0	ALTERNATE NO. 2 – SAFETY WALL PADS <u>One thousand nine hundred</u> dollars <u>0</u> cents	\$ <u>1,925.00</u>
4.	LS	1.0	ALTERNATE NO. 3 – GYMNASIUM FLOOR COVER (3'x6' TILES) <u>No Bid</u> dollars <u>0</u> cents	\$ <u>No Pricing</u>
5.	LS	1.0	ALTERNATE NO. 4 – GYMNASIUM FLOOR COVER (10' WIDE ROLLS) <u>Nine thousand five hundred seventy</u> dollars <u>0</u> cents	\$ <u>9,570.00</u>

See Division K for breakdown of items included within the respective base bids for gymnasium floor, volleyball floor plates, and alternate bids for bleachers, safety pads and floor covers. City shall reserve the right to award bids separately, reject any and all alternates, or to award base bid plus any and all alternates to one contractor as deemed in its best interest. Do not total above bids, each line item will be read separately at bid opening. Bidders may bid on base bid alone, any and all alternates alone, or any combination thereof at their discretion.

ARTHUR LESOW COMMUNITY CENTER - GYMNASIUM FLOOR REPLACEMENT

LUMP SUM
AMOUNT

ITEM NO.	UNIT	NO. OF UNITS	ITEM DESCRIPTION WITH UNIT BID PRICES WRITTEN IN WORDS	
1.	LS	1.0	BASE BID - GYMNASIUM FLOOR VOLLEYBALL FLOOR PLATES	
			<u>EIGHTY THOUSAND</u> <u>FIVE HUNDRED</u> dollars _____ cents	\$ <u>80,500.</u>
2.	LS	1.0	ALTERNATE NO. 1 - ALUMINUM BLEACHERS AND PLAYERS BENCHES	
			<u>FOUR THOUSAND</u> <u>THREE HUNDRED</u> dollars _____ cents	\$ <u>4,300.</u>
3.	LS	1.0	ALTERNATE NO. 2 - SAFETY WALL PADS	
			<u>ONE THOUSAND</u> <u>FIVE HUNDRED</u> dollars _____ cents	\$ <u>1,500.</u>
4.	LS	1.0	ALTERNATE NO. 3 - GYMNASIUM FLOOR COVER (3'x6' TILES)	
			<u>THIRTEEN THOUSAND</u> dollars _____ cents	\$ <u>13,000.</u>
5.	LS	1.0	ALTERNATE NO. 4 - GYMNASIUM FLOOR COVER (10' WIDE ROLLS)	
			<u>SIX THOUSAND</u> dollars _____ cents	\$ <u>6,000.</u>

See Division K for breakdown of items included within the respective base bids for gymnasium floor, volleyball floor plates, and alternate bids for bleachers, safety pads and floor covers. City shall reserve the right to award bids separately, reject any and all alternates, or to award base bid plus any and all alternates to one contractor as deemed in its best interest. Do not total above bids, each line item will be read separately at bid opening. Bidders may bid on base bid alone, any and all alternates alone, or any combination thereof at their discretion.

Phoenix Contracting

ARTHUR LESOW COMMUNITY CENTER – GYMNASIUM FLOOR REPLACEMENT

ITEM NO.	UNIT	NO. OF UNITS	ITEM DESCRIPTION WITH UNIT BID PRICES WRITTEN IN WORDS	LUMP SUM AMOUNT
1.	LS	1.0	BASE BID – GYMNASIUM FLOOR/VOLLEYBALL FLOOR PLATES One Hundred Three Thousand and 00/100*****dollars ***** cents	\$ 103,000.00
2.	LS	1.0	ALTERNATE NO. 1 – ALUMINUM BLEACHERS AND PLAYERS BENCHES Eight Thousand and 00/100*****dollars ***** cents	\$ 8,000.00
3.	LS	1.0	ALTERNATE NO. 2 – SAFETY WALL PADS Three Thousand Three Hundred and 00/100*****dollars ***** cents	\$ 3,300.00
4.	LS	1.0	ALTERNATE NO. 3 – GYMNASIUM FLOOR COVER (3'x6' TILES) Sixteen Thousand Five Hundred and 00/100*****dollars ***** cents	\$ 16,500.00
5.	LS	1.0	ALTERNATE NO. 4 – GYMNASIUM FLOOR COVER (10' WIDE ROLLS) Nine Thousand Four Hundred and 00/100*****dollars ***** cents	\$ 9,400.00

See Division K for breakdown of items included within the respective base bids for gymnasium floor, volleyball floor plates, and alternate bids for bleachers, safety pads and floor covers. City shall reserve the right to award bids separately, reject any and all alternates, or to award base bid plus any and all alternates to one contractor as deemed in its best interest. Do not total above bids, each line item will be read separately at bid opening. Bidders may bid on base bid alone, any and all alternates alone, or any combination thereof at their discretion.

Gratton
Construction